

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SUNNYVALE CONFIRMING ENGINEER'S REPORT
AND LEVYING ANNUAL ASSESSMENT FOR THE
DOWNTOWN PARKING MAINTENANCE DISTRICT FOR
FY 2006-2007 AND FY 2007-2008**

WHEREAS, Francisco & Associates, Inc., Engineer of Work, has filed with the City Clerk the report required by Chapter 14.26 of the Sunnyvale Municipal Code and the City Council adopted its Resolution of Intention calling a hearing on the report as required by the Code. Notice of the hearing and an Assessment Ballot were given by mailing to affected property owners, all according to Chapter 14.26 of the Sunnyvale Municipal Code, Article XIID of the California Constitution and the Proposition 218 Omnibus Implementation Act, respectively. An affidavit of mailing was filed with the City Clerk of the City of Sunnyvale.

WHEREAS, on May 30, 2006, the City Council conducted a public hearing and gave every interested person an opportunity to object or protest to the proposed assessment;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT:

1. The City Council approves the Engineer's Report and each component part of it, including each exhibit incorporated by reference in the report.
2. The City Council finds that the amount of the assessments represented by the assessment ballots submitted by those in favor of the assessment is greater than those submitted against the assessment.
3. The City Council finds that the Engineer of Work, in the Engineer's Report, has fairly and properly apportioned the cost of the improvement to each parcel of land in the assessment district in proportion to the estimated benefits to be received by each parcel, respectively, from the improvement. The City Council hereby confirms the diagram and assessment and levies each individual assessment, as stated in the Engineer's Report, for the fiscal year 2006-07 and the fiscal year 2007-08.

BE IT FURTHER RESOLVED THAT:

1. The FY 2006-07 and FY 2007-08 assessments will be collected in the same manner as the County of Santa Clara ad-valorem property tax payments for FY 2004-05 and FY 2005-06. If the FY 2005-06 assessment for any parcel remains delinquent at the time the FY 2006-07 assessments are submitted to the County for inclusion on the FY 2006-07 property tax roll, the delinquent FY 2005-06 assessment payment and associated fines and penalties may be added to the FY 2006-07 assessment obligation.

Adopted by the City Council at a regular meeting held on July 18, 2006, by the following vote:

AYES:

NOES:

ABSENT:

ATTEST:

APPROVED:

City Clerk
(SEAL)

Mayor